



Office of Administrative Services
Freedom of Information Act Office

August 23, 2013

Mr. Robert Delaware
MuckRock News
DEPT MR 5910
PO Box 55819
Boston, MA 02205-5819

Dear Mr. Delaware:

This in response to your Freedom of Information Act (FOIA) request number 252447, dated June 2, 2013, in which you requested "release of the 44 responses for the GSA's Request for Qualifications regarding the design of the Eisenhower Memorial."

We are unable to fulfill your request. We are withholding the forty-three responses that were not selected, pursuant to the third statutory exemption of FOIA, 5 U.S.C. § 552(b)(3). That exemption prohibits the release of records that are specifically exempted from disclosure by statute. The applicable statute is 41 U.S.C. § 4702(b) which provides that a "proposal in the possession or control of an executive agency may not be made available to any person under section 552 of title 5 [FOIA]."

With regard to the response from Gehry Partners, we are withholding this response based upon the fourth exemption pursuant to FOIA, 5 U.S.C. § 552(b)(4), which permits an agency to withhold "trade secrets and commercial or financial information from a person which is privileged or confidential." This information falls within the scope of this exemption as public disclosure of this information is likely to cause substantial competitive harm to the business that furnished the information.

This constitutes a denial under FOIA. You may appeal this decision to the U.S. General Services Administration no later than one hundred and twenty (120) days from receipt of this decision by writing to the following address:

Freedom of Information Act Office (H1C)
U.S. General Services Administration
1800 F Street, NW, Room 7308
Washington, DC 20405

Your appeal should contain a brief statement of the reasons why you believe GSA should have responsive records.

U.S. General Services Administration
1275 First Street, NE
Washington, DC 20417
Telephone: (202) 501-0800
Fax: (202) 219-1243

Enclose a copy of your initial request and this letter. Both the appeal letter and the envelope should be marked prominently, "Freedom of Information Act Appeal."

If you have any questions, please contact me at (202) 219-3078 or via email travis.lewis@gsa.gov.

Sincerely,

Travis Lewis

FOIA Program Manager